

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Apr 25, 2024

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Alayna Rene Smith

Case Number: 0980 2:19CR00182-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99205

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge
 Name of Supervising Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: May 19, 2021

Original Offense: Possession of Stolen Firearms, 18 U.S.C. § 922 (j), 924 (a)(2)

Original Sentence:	Prison - 6 months TSR - 36 months	Type of Supervision: Supervised Release
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Asst. U.S. Attorney:	Earl Allan Hicks	Date Supervision Commenced: June 7, 2022
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Defense Attorney:	Federal Defenders Office	Date Supervision Expires: June 6, 2025
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PETITIONING THE COURT

To issue a warrant and to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 04/08/2024.

On June 9, 2022, the offender's conditions of supervised release were reviewed by her assigned probation officer and she signed said conditions acknowledging an understanding of her requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.
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Supporting Evidence: The offender is alleged to have violated special condition number 4, by ingesting a controlled substance, cocaine, on or about April 1 and 4, 2024.

On April 1 and 4, 2024, the offender submitted urine specimens at the U.S. Probation Office that returned presumptive positive for cocaine. In each instance, she denied new use of cocaine and stated she last used said substance on or about March 25, 2024. Both urine specimens were thereafter sent to the national laboratory and were confirmed positive for cocaine.

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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is alleged to have violated special condition number 4, by ingesting controlled substances, cocaine and amphetamine, on or about April 12, 2024.

On April 12, 2024, the offender submitted a urine specimen at the U.S. Probation Office that returned presumptive positive for cocaine, amphetamine and methamphetamine. She adamantly denied use of methamphetamine and claimed her last use of cocaine was on March 25, 2024. The urine specimen was thereafter sent to the national laboratory for further testing and it was confirmed positive for cocaine and amphetamine.

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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is alleged to have violated special condition number 4, by ingesting controlled substances, methamphetamine and cocaine, on or about April 14, April 15, 17, 18 and 19, 2024.

During a scheduled home visit on April 24, 2024, the offender admitted to the probation officer that she used methamphetamine and cocaine on or about April 14, 15, 17, 18 and 19, 2024.

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Special Condition #4: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances.

Supporting Evidence: The offender is alleged to have violated special condition number 4, by failing to submit to urinalysis testing at Pioneer Human Services (PHS) on April 23, 2024.

The probation officer received email correspondence from PHS indicating the offender failed to report for urinalysis testing on April 23, 2024.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court, and that the Court issue a warrant.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: April 25, 2024

s/Lori Cross

Lori Cross
U.S. Probation Officer

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THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Thomas O. Rice
United States District Judge

April 25, 2024

Date